

STATE OF MAINE

SUPERIOR COURT

_____, ss.

Docket No. _____

DISTRICT COURT

Location _____

Docket No. _____

Plaintiff

v.

DefendantAPPLICATION FOR TRANSFER TO
BUSINESS AND CONSUMER DOCKET

I/We submit this application for transfer of the above-captioned case to the BCD, based on the following information:

| NAME OF EACH PARTY SUBMITTING THIS APPLICATION: | Plaintiff | Defendant |
|---|--------------------------|--------------------------|
| _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> |

1. Is at least one party a business entity? ☐ Yes ☐ No

2. List all plaintiffs and their counsel:

| PLAINTIFF(S) | COUNSEL (NAME AND ADDRESS) | E-MAIL ADDRESS |
|--------------|----------------------------|----------------|
| | | |
| | | |
| | | |

3. List all defendants and their counsel:

| DEFENDANT(S) | COUNSEL (NAME AND ADDRESS) | E-MAIL ADDRESS |
|--------------|----------------------------|----------------|
| | | |
| | | |
| | | |

4. List any other cases with which this case is or may need be consolidated or coordinated:

| CASE CAPTION | DOCKET NUMBER | CURRENT COURT LOCATION |
|--------------|---------------|------------------------|
| | | |
| | | |
| | | |

5. Do all of the parties appearing in the case agree to a transfer? ☐ YES ☐ NO ☐ UNKNOWN6. If no, will a written objection be filed? ☐ YES ☐ NO ☐ UNKNOWN

7. What is the subject matter of the primary cause of action in this case:

- | | |
|---|---|
| <input type="checkbox"/> Breach of Contract | <input type="checkbox"/> Breach of Warranty |
| <input type="checkbox"/> Breach of Fiduciary Duty | <input type="checkbox"/> Class Action |
| <input type="checkbox"/> 80B Appeal involving a business entity | <input type="checkbox"/> 80C Appeal involving a business entity |
| <input type="checkbox"/> Internal governance of a business entity | <input type="checkbox"/> Securities transactions |
| <input type="checkbox"/> Shareholder derivative action | <input type="checkbox"/> Confidential or trade secret |
| <input type="checkbox"/> Intellectual property | <input type="checkbox"/> Financial transactions |
| <input type="checkbox"/> U.C.C. transactions | <input type="checkbox"/> Unfair trade practices |
| <input type="checkbox"/> Antitrust or other trade regulations | <input type="checkbox"/> Commercial real estate |
| <input type="checkbox"/> Other (describe): _____ | |

8. What is the status of this case:

| | YES | NO | NOT YET DETERMINED |
|--|--------------------------|--------------------------|--------------------------|
| a. Has service of the complaint been completed on all parties? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Are the pleadings closed? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Is discovery completed? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Is class action status sought? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e. Scheduled for trial? If so, when? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f. Pretrial held? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| g. Case management conference held? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| h. Jury trial? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| i. Bench trial? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| j. ADR been attempted? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| k. Is file sealed (partial / entire)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| l. Will post-judgment judicial supervision be needed? ... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

9. What is the estimated length of trial (in days)? _____

10. Identify nature and number of any pending pretrial motions: _____

11. Identify any novel and/or complex legal issues in this case: _____

CERTIFICATION OF SERVICE BY ATTORNEY OR PARTY SUBMITTING APPLICATION

| | |
|---|------|
| I hereby certify that a copy was mailed/delivered to all counsel and pro se parties of record on this date SIGNED: | DATE |
|---|------|

ORDER (For BCD Court Use Only)

The above Application having been considered, it is ORDERED as follows:

- ☐ The case is ACCEPTED for transfer. The case file shall be transferred forthwith from the court in which the case is now pending to the BCD.
- ☐ The case is NOT ACCEPTED for transfer.

| | |
|----------------------------|------|
| SIGNED (BCD Justice/Judge) | DATE |
|----------------------------|------|

PLEASE NOTE THE FOLLOWING:

- Failure to supply complete and accurate information may disqualify a case for consideration for transfer to the BCD.
- Information that does not fit on this form should be attached to a separate sheet and numbered to correspond to the inquiries on the form.
- This application should be filed with the court in which the case is currently pending.